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Attorney for defendant EDWIN BALERO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWIN WILLIAM BALERO,

Defendant.

No. 2:12-CR-0369 JAM

No. 2:99-CR-0401 JAM
**STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE**

The defendant, EDWIN BALERO, through his undersigned counsel, and the United States, through its undersigned counsel, hereby agree and request that the status conference currently set for Tuesday, October 15, 2013 at 9:45 am be vacated and continued until Tuesday, November 5, 2013 at 9:45 am.

A continuance is necessary because defense counsel is unavailable on October 15, 2013 as he will be attending a funeral. A continuance is also necessary to provide the parties with additional time for case preparation and ongoing plea and sentencing negotiations.

The parties stipulate that time should be excluded under the Speedy Trial Act to allow the defendant continuity of counsel and

1 to provide the parties additional time for case preparation and
2 ongoing plea and sentencing negotiations. Local Code T4 & 18
3 U.S.C § 3161 (h)(7)(B)(iv).

4 I, William E. Bonham, the filing party, have received
5 authorization from AUSA Michael McCoy to sign and submit this
6 stipulation and proposed order on his behalf.

7 Accordingly, the defense and the United States agree and
8 stipulate that the status conference for defendant EDWIN BALERO,
9 should be continued until Tuesday, November 5, 2013 at 9:45 am.
10 The parties stipulate that the ends of justice served by granting
11 this continuance outweigh the best interests of the public and
12 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

13 Dated: October 11, 2013

BENJAMIN B. WAGNER
United States Attorney

15 By: /s/ WILLIAM E. BONHAM for
16 MICHAEL MCCOY
Assistant U.S. Attorney

18 Dated: October 11, 2013

20 By: /s/ WILLIAM E. BONHAM for
WILLIAM E. BONHAM
21 Counsel for Defendant
EDWIN BALERO

ORDER

IT IS SO ORDERED. The status conference for defendant, EDWIN BALERO, currently set for Tuesday, October 15, 2013 at 9:45 am should be vacated and continued to Tuesday, November 5, 2013 at 9:45 am.

I find that the continuance is necessary to allow the defendant continuity of counsel and due to the needs of counsel for continued case preparation and plea/sentencing negotiations. Accordingly, time is excluded under the Speedy Trial Act, due to needs of counsel for additional case preparation and ongoing plea/ sentencing negotiations, from October 15, 2013 up to and including November 5, 2013 pursuant to Local Code T4 and 18 U.S.C. § 3161(h)(7)(B)(iv). I find that the ends of justice served by granting this continuance outweigh the best interest of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Dated: October 11, 2013

/s/ John A. Mendez_____
HON. JOHN A. MENDEZ
U.S. DISTRICT COURT JUDGE